

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

11-6188872

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In re:

BRIAN DENKER,

Chapter 7

Case No.: 15-41069-cec

Debtor.

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**AFFIRMATION IN SUPPORT OF APPLICATION TO RETAIN CERTILMAN BALIN
ADLER & HYMAN, LLP, AS ATTORNEYS TO THE TRUSTEE**

RICHARD J. MCCORD, the undersigned, an attorney duly admitted to practice before this court, affirms the following to be true under the penalties of perjury.

1. I am a member of the firm of Certilman Balin Adler & Hyman, LLP (“Certilman”), a law firm consisting in excess of 70 attorneys.

2. Certilman maintains its offices for the practice of law at 90 Merrick Avenue, East Meadow, New York and 100 Motor Parkway, Suite 156, Hauppauge, New York 11788.

3. Certilman is competent to represent the interest of the Trustee on whose behalf representation is now sought in all proceedings now pending on which may reasonably be expected. I am a member of the firm having joined on October 1, 1999.

4. Certilman has extensive experience and knowledge in the field of debtors’ and creditors’ rights. Certilman has represented debtors, creditors, creditors’ committees, and trustees in various proceedings before the Bankruptcy Courts all over the country. Moreover, Certilman has and is currently representing the Trustee in numerous Chapter 7 cases pending in the Eastern District of New York.

5. In order to comply with the provisions of the Bankruptcy Code, we agree that during the pendency of our representation of the Chapter 7 Trustee, we will not represent any creditor with an interest adverse to that of the estate and we will represent the interests of the Chapter 7 Trustee for the benefit of the estate and the creditor body. A conflict search has been conducted and no present conflicts were revealed.

6. Certilman and the members of such firm, have, in the past, been engaged in cases and actions under the Bankruptcy Act and Bankruptcy Code and otherwise in which the attorneys for the debtor, attorneys for some creditors or attorneys for other parties in interest in this case may have been involved all of which are unrelated to this Chapter 7 case.

7. To the best of your Affirmant's knowledge, Certilman holds and represents no interest adverse to the estate and is "disinterested" as defined in 11 U.S.C. §101(14).

8. Your Affirmant, Jaspreet S. Mayall and Carol Glick, will be the persons primarily responsible for the handling of this case. A conflict check has been conducted and to the best of your Affirmant's knowledge, no conflicts exist.

9. The undersigned has read and is generally familiar with the Bankruptcy Code, Federal Rules of Bankruptcy Procedure, Local Rules for the Eastern District of New York and the rules of this court.

10. The undersigned is competent to represent the interests of the trustee in all matters that may reasonably be expected to come before the court in connection with our retention as counsel to the trustee.

11. Our general fees for rendering services in both Bankruptcy and non-bankruptcy matters, and our billing for services rendered all clients by our firm for members and associates of the firm who will be working on this file are as follows:

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|--------------------------|-------------------|
| Jaspreet S. Mayall, Esq. | \$425.00 per hour |
|--------------------------|-------------------|

Richard J. McCord, Esq. \$485.00 per hour

Carol Glick, Esq. \$340.00 per hour

Paraprofessionals \$110.00 per hour

12. Legal services rendered by other counsel in the office will be billed at their regular hourly rate, and those time records will also be submitted to the Court for approval.

13. Pursuant to the provisions of the Bankruptcy Code, legal fees requested shall be upon application to the Bankruptcy Court, as will all disbursements advanced.

WHEREFORE, it is respectfully requested that the Trustee be authorized to retain Certilman Balin Adler & Hyman, LLP, to represent him in this Bankruptcy proceeding under Chapter 7 of the Bankruptcy Code, and for such other and further relief as to the Court may deem just and proper under the circumstances.

Dated: East Meadow, New York
October 12, 2015

CERTILMAN BALIN ADLER & HYMAN, LLP

By: /s/ Richard J. McCord
RICHARD J. MCCORD, ESQ.
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East Meadow, New York 11554
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